

Dear Sir/Madam,

**RSVP: Article 17 Guidance – concerns on the implementation of the Copyright Directive
– Online exchange – February 12 from 10.30am to 12.00pm CET**

We trust this email finds you well.

In our capacity as Members of the European Parliament, we would request the pleasure of your company at an online discussion with fellow MEPs and EC Cabinet members on the soon to be adopted Article 17 Guidance¹.

To this effect, we share with you below the letter of invitation communicated to several Members of Cabinets on this issue. The letter sets out and references the numerous concerns raised in the approach to the Guidance proposed by the EC in the Consultation. The issues raised remain open as they have yet to be properly addressed. This initiative is here to spearhead a necessary dialogue.

We welcome and look forward to co-hosting this exchange which has broad implications on flagship digital dossiers which impact Europe's economy, jobs, cultural diversity, and media pluralism.

We understand that the process is relatively advanced and as such aim for a discussion to take place February 12 from 10.30am to 12.00pm CET. We thank you for your kind consideration in taking part. Upon confirmation by response to this email, an invitation will be sent to you with the relevant link for the videoconference.

Yours sincerely,

MEPs co-hosting discussion

Ibán García del Blanco, S&D

Geoffroy Didier, EPP

Sylvie Guillaume, S&D

Adriana Maldonado, S&D

Sabine Verheyen, EPP

Axel Voss, EPP

Tomasz Frankowski, EPP

Christian Ehler, EPP

Laurence Farreng, RE

Alexis Georgoulis, The Left

Marcos Ros Sempere, S&D

Domenec Ruiz Devesa, S&D

Frédérique Ries, RE

LETTER OF INVITATION SENT TO EUROPEAN COMMISSION CABINET MEMBERS

Office of President von der Leyen

Offices of EVPs/VPs/Commissioners: Vestager, Timmermans, Jourová, Breton, Gabriel, Reynders, Dombrovskis, Schinas, Dalli, Gentiloni

Dear Sir/Madam,

RSVP: Article 17 Guidance – Request to Cabinet to discuss concerns on the implementation of the Copyright Directive – Online exchange – February 12 from 10.30am to 12.00pm CET

We trust this email finds you well.

In our capacity as Members of the European Parliament, we would request the pleasure of your company at an online discussion with fellow MEPs (please see list of colleagues co-hosting this event below) and EC Cabinet members on the soon-to-be-adopted Article 17 Guidanceⁱ.

There is quite some concern amongst current and former MEPs involved in this matterⁱⁱⁱ that the current approach to the Guidance would not properly reflect the agreement hardily achieved after long negotiations on Article 17 of the Copyright Directive. The latest response to Parliamentary questions on this matter by the Commission^{iv} and recent public remarks made by members of DG Connect services have not helped to assuage these concerns.

MEPs have seen these concerns mirrored by no less than seven Member States^v that believe the approach set out *exceeds the purpose of the guidelines to be adopted by the Commission and raises very serious issues*. For this reason, we would also like to open this discussion to the above, so that the views of both co-legislators can be expressed.

We also understand that stakeholders across all the major creative and cultural sectors are equally worried about the direction of travel to date^{vi}.

The issues raised in the referenced texts remain a source of open question for Members of the Parliament. The final process leading to the adoption of the Guidance should allow a proper exchange to address them. Further, we welcome an exchange with cabinet members covering the broad implications at stake, which are important in our examination of flagship digital dossiers that impact Europe's economy, jobs, cultural diversity, and media pluralism.

We understand that the process is relatively advanced and as such aim for a discussion to take place **February 12th from 10.30am to 12.00pm**. We thank you for your availability to be present or alternatively a competent member of the Cabinet. Upon confirmation by return of email, an invitation will be sent to you with the relevant link for the videoconference.

Yours sincerely,

MEPs co-hosting discussion (see above)

DRAFT Letter of invitation for Member State representatives

ⁱ Guidance on article 17 of the Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC (Text with EEA relevance.)

ⁱⁱ Guidance on article 17 of the Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC (Text with EEA relevance.)

ⁱⁱⁱ *The European Parliament co-legislators are very worried about the European Commission's guidelines on the implementation of the Copyright Directive: demagoguery at the service of tech giants*, Euractiv, Tribune, 7 December 2020

Transposition de la directive droit d'auteur : danger pour les créateurs et la presse ! Le Figaro, Tribune Collective, 15 December 2020

^{iv} EP written question: by MEP Geoffroy Didier on the Future guidance on the application of Article 17 of the Directive on Copyright in the Digital Single Market & Response by Mr Breton on behalf of the European Commission (5.1.2021 - E-005144/2020)

^v *Consultation related to the European Commission's future guidance on the application of article 17 of the Copyright in the digital single market directive*, Non paper signed by Croatia, Denmark, France, Greece, Italy, Portugal and Spain

^{vi} 22 rightholders sign letter to Commission on Consultation on Article 17 Guidance as reported by Reuters on 15 September 2020, *Europe's creative industry slams EU Commission for rewriting copyright rules*, and Les Echos on 11 September 2020, *Réforme européenne du droit d'auteur : les ayants droit craignent une entourloupe*